

GIS REGISTRY INFORMATION

HNA

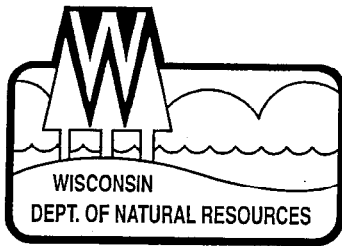
SITE NAME:	Carlson Marketing Site		
BRRTS # and FID #:	03-41-002817, 241485860		
CLOSURE DATE:	05/14/2004		
STREET ADDRESS:	3825 West Green Tree Road		
CITY:	Milwaukee		
SOURCE PROPERTY GPS COORDINATES (meters in WTM91 projection):	X=	685975	Y= 298400

OFF-SOURCE CONTAMINATION (>ES): (if there are more than 2 off-source properties, make a note and attach additional sheet(s))	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
IF YES, STREET ADDRESS 1:		
GPS COORDINATES (meters in WTM91 projection):	X=	Y=
IF YES, STREET ADDRESS 2:		
GPS COORDINATES (meters in WTM91 projection):	X=	Y=
CONTAMINATION IN RIGHT OF WAY:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

CONTAMINATED MEDIA: (Groundwater, Soil or Both?)	Soil
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DOCUMENTS NEEDED:

Closure Letter, and any conditional closure letter issued	X
Copy of most recent deed, including legal description, for all affected properties	X
Certified survey map or relevant portion of the recorded plat map (if referenced in the legal description) for all affected properties	n/a
County Parcel ID number, if used for county, for all affected properties	X
Location Map which outlines all properties within contaminated site boundaries in sufficient detail to permit the parcels to be located easily (8.5x14" if paper copy)	X
Detailed Site Map(s) for all affected properties, showing buildings, roads, property boundaries, contaminant sources, utility lines, monitoring wells and potable wells. (8.5x14", if paper copy)	X
Tables of Latest Groundwater Analytical Results (no shading or cross-hatching)	n/a
Isoconcentration map(s), if available from site investigation (SI) (8.5x14" if paper copy). The isoconcentration map should have flow direction and extent of contamination defined. If not available, include the following 2 types of maps:	X
Latest groundwater flow/monitoring well location map	X
Latest extent of contaminant plume map	n/a
Geologic cross-sections, if available from SI. (8.5x14" if paper copy)	X
RP certified statement that legal descriptions are complete and accurate	X
Copies of off-source notification letters (if applicable)	n/a
Letter informing ROW owner of residual contamination (if applicable)	X
Copy of (soil or land use) deed restriction(s) or deed notice if any required as a condition of closure.	X



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Scott Hassett, Secretary
Gloria L. McCutcheon, Regional Director

Southeast Region Headquarters
2300 N. Dr. Martin Luther King, Jr. Drive
P O Box 12436
Milwaukee, Wisconsin 53212-0436
Telephone 414-263-8500
FAX 414-263-8483
TTY 414-263-8713

May 14, 2004

Carlson Marketing Group
Attn.: Mr. Robert Brill
P O Box 59159
Minneapolis, MN 55459-8249

Subject: Final Closure for Former Carlson Marketing Group Site, 3825 West Green Tree Road, Milwaukee, WI

FID: 241485860
BRRTS: 03-41-002817
PECFA: 53209-3042-25

Dear Mr. Brill:

In August 2000, the Wisconsin Department of Natural Resources ("the Department") reviewed the site as described above for closure. The Department reviews environmental remediation cases for compliance with state laws and standards to maintain consistency in the closure of these cases. The Department reviews environmental remediation cases for compliance with state laws and standards to maintain consistency in the closure of these cases. On September 12, 2000, Carlson Marketing, Inc. was notified that conditional closure was granted to this case.

On May 14, 2004, the Department received correspondence indicating that you have complied with the conditions of closure. The Department received a copy of the filed Deed Restriction for residual soil contamination left in-place. Based on the correspondence and data provided, it appears that your case has been remediated to Department standards in accordance with s. NR 726.05, Wisconsin Administrative Code. The Department considers this case closed and no further investigation, remediation, or other action is required at this time.

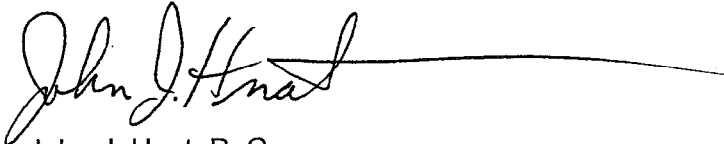
Your site will be listed on the WDNR Remediation and Redevelopment GIS Registry of Closed Remediation Sites. Information that was submitted with your closure request application will be included on the registry. To review the sites on the GIS Registry web page, visit:

<http://gomapout.dnr.state.wi.us/org/at/et/geo/gwur/index.htm>

Please be aware that this case maybe reopened pursuant to s. NR 726.09, Wis. Admin. Code, if additional information regarding site conditions indicates that contamination on or from the site poses a threat to public health, safety or welfare, or the environment.

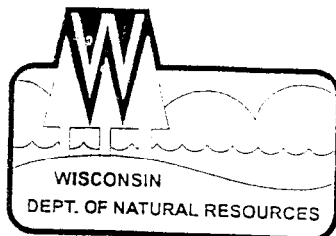
The Department appreciates the actions you have taken to investigate and remediate the contamination at this site. If you have any questions or comments, please feel free to contact me at the above address or at (414) 263-8644. Please refer to the FID number at the top of this letter in any future correspondence. Future correspondence should be sent directly to the Remediation and Redevelopment Program Assistant Vicky Stovall (414-263-8688) at the above address.

Sincerely,

A handwritten signature in dark ink, appearing to read "John J. Hnat", followed by a long horizontal line extending to the right.

John J. Hnat, P. G.
Senior Hydrogeologist
Remediation and Redevelopment

C: William Scott, Attorney for Carlson Marketing
Thomas Shannon, Fox, O'Neill & Shannon, S. C.
Larry Dalton, Whyte Hirschboeck Dudek
Hersch Family Partnership, LLP
WDNR SER Files



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary
Gloria L. McCutcheon, Regional Director

Southeast Regional Headquarters
2300 N. Dr. ML King Drive, PO Box 12436
Milwaukee, Wisconsin 53212-0436
Telephone 414-263-8500
FAX 414-263-8483
TDD 414-263-8713

September 12, 2000

In Reply Refer To: FID# 241485860
BRRTS# 03-41-002817
County of Milwaukee
BRR-LUST

Mr. Richard Shinofield
Carlson Marketing Inc.
Carlson Parkway - PO Box 59159
Minneapolis, MN 55459-8249

SUBJECT: Closure Request for the *Former Carlson Marketing Group Site, 3825 W Green Tree Road, Milwaukee, WI*

Dear Mr. Hersch:

The Wisconsin Department of Natural Resources (WDNR) has reviewed the report entitled *Request For Closure*, dated January 18, 2000, that was prepared by GZA GeoEnvironmental, Inc. The report contained a request that the WDNR grant "No Further Action" status for the site, without a groundwater use restriction.

Based upon the information in the case file and in the above referenced report, the WDNR is unable to grant closure for the site as requested. Due to the presence of benzene, ethylbenzene, toluene, 1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene and xylene in the groundwater at the site, at a concentration above the NR 140 Enforcement Standard (ES), a requirement of case closure is that a "groundwater use restriction" be placed on the deed of the property, according to s. NR 726.05(8)(am). If you wish to obtain a case closure without a deed restriction your options include conducting additional active remedial activities and/or continuing with natural attenuation monitoring until the groundwater contaminant concentrations of all detected compounds are below their respective Enforcement Standards or waiting for a change in the NR 700 regulations, such as the proposed "GIS Registry".

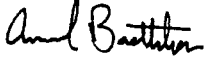
Due to the lack of post remedial soil sampling and analysis, we cannot assume that the contaminant concentrations in soil have significantly decreased, therefore, in addition to a groundwater use restriction, another requirement of case closure is that a deed notice be attached to the deed of the property to notify any future potential purchaser of the property that a large volume of soil contamination (GZA estimated up to 4000 yds³) remains on the property. This notice should also specify that if in the future any contaminated soil is ever discovered and excavated due to construction or other activities, the soil must be properly handled according to all applicable laws in effect at that time.

If you pursue closure of this case with a groundwater use restriction, you may wish to submit a draft copy of the proposed deed restriction prior to placement on the deed of the property so that the WDNR can verify that the restriction is acceptable. The language in the deed restriction should follow the template contained in the guidance document entitled "Close Out Guidance on the Use of Deed and Groundwater Use Restrictions and Deed Notices". If you need a copy of this document, please contact me. In addition to the language, please attach a map that identifies the

location of the remaining groundwater and soil contamination to the deed restriction. Also, please submit a current copy of the property deed.

The WDNR appreciates the actions you have taken to restore the environment at this site. If you have any questions regarding this letter you may contact me at (414) 263-8541. Please refer to the FID and BRRTS numbers on the top of this letter in any future correspondence.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew Boettcher".

Andrew Boettcher
Hydrogeologist

cc: Mr. Robert Hersch
Mr. William P. Scott, Esq.
GZA GeoEnvironmental
ARCADIS Geraghty & Miller
SER Case File

6845883

This Deed, made between Robert A. Hersch

REGISTER'S OFFICE }
Milwaukee County, WI }
RECORDED AT -4:05 PM
OCT 22 1993

and Hersch Family Partnership

REEL 3146 IMAGE 999-1000

Warrant of Deed

Witnesseth, That the said Grantor, for a valuable consideration

conveys to Grantee the following described real estate in Milwaukee
County, State of Wisconsin:known to Robert M. Weiss
700 N. Water St., #1500
Milwaukee, WI 53202

See attached legal description

Tax Parcel No: 117-9988-126-2

This is intended to correct a legal description contained in a deed between the same parties dated 10/15/92 and recorded 10/5/93 and Document No. 6836764, Reel 5133, Image 1632. This conveyance is effective 10/15/92.

FEE
\$ 77.25 (s)
EXEMPT

RECEIVED 12.00

(The grantee is a partnership which includes the following parties:
Robert A. Hersch, Laurie Jacobs, William Hersch, Jody Hersch and
the Steven L. Hersch 1992 Trust, Robert M. Weiss, Trustee)This is not homestead property.
(s) (in not)

Together with all and singular the hereditaments and appurtenances thereto belonging:

And warrants that the title is good, indefeasible in fee simple and free and clear of encumbrances except municipal and zoning ordinances, recorded easements for public utilities serving the property, recorded building and use restrictions and covenants, and general taxes levied in 1992 and subsequent years and will warrant and defend the same.

Dated this 21st day of October, 1993.

Robert A. Hersch (SEAL)

(SEAL)

AUTHENTICATION

Signature(s) Robert A. Hersch

authenticated this 21st day of October, 1993

Robert M. Weiss

TITLE: MEMBER STATE BAR OF WISCONSIN

(If not, authorized by § 706.06, Wis. Stats.)

THIS INSTRUMENT WAS DRAFTED BY

Robert M. Weiss

(Signatures may be authenticated or acknowledged. Both are not necessary.)

ACKNOWLEDGMENT

STATE OF WISCONSIN

County, ss.

Personally came before me this day of 1993, the above named

to me known to be the person who executed the foregoing instrument and acknowledge the same.

Notary Public County, Wis.
My Commission is permanent. (If not, state expiration date: 1993)

*Name of person signing in any capacity should be typed or printed below their signature.

EXHIBIT A

LEGAL DESCRIPTION

Parcel 1:

That part of the South West One-quarter (1/4) of Section Twenty-four (24), in Township Eight (8) North, Range Twenty-one (21) East, in the City of Milwaukee, County of Milwaukee, State of Wisconsin, bounded and described as follows: Commencing at the North West corner of said 1/4 Section; thence due East along the North line of said 1/4 Section 1591.86 feet to a point, said point being the point of beginning of the land to be described; continuing thence due East along the North line of said 1/4 Section 250.00 feet to a point; thence due South at right angles to the North line of said 1/4 Section, 345.91 feet to a point; thence South 30° 00' 00" West, 50.00 feet to a point; thence due South 45.79 feet to a point; thence due West and parallel to the North line of said 1/4 Section, 225.00 feet to a point; thence due North at right angles to the North line of said 1/4 Section, 435.00 feet to the point of beginning.

and

Parcel 2:

That part of the South West One-quarter (1/4) of Section Twenty-four (24), in Township Eight (8) North, Range Twenty-one (21) East, in the City of Milwaukee, County of Milwaukee, State of Wisconsin, bounded and described as follows: Commencing at the North West corner of said 1/4 Section; thence due East along the North line of said 1/4 Section, 1541.86 feet; thence due South at right angles to the North line of said 1/4 Section, 345.91 feet; thence South 30° 00' 00" West, 50.00 feet; thence due South at right angles to the North line of said 1/4 Section, 45.79 feet to a point, said point being the point of beginning of the land to be described; thence due South 34.21 feet; thence South 89° 58' 20" East and parallel to the South line of the North 1/2 of the North 1/2 of said 1/4 Section, 60.00 feet; thence due South at right angles to the North line of said 1/4 Section, 200.00 feet to a point on the South line of the North 1/2 of the North 1/2 of said 1/4 Section; thence North 89° 58' 20" West along the South line of the North 1/2 of the North 1/2 of said 1/4 Section, 285.00 feet to a point; thence due North at right angles to the North line of said 1/4 Section, 234.10 feet to a point; thence due East 225.00 feet to the point of beginning.

and

Parcel 3:

That part of the South West 1/4 of Section 24, Township 8 North, Range 21 East, in the City of Milwaukee, County of Milwaukee and State of Wisconsin, bounded and described as follows: Commencing at the North West corner of said 1/4 Section; thence due East along the North line of said 1/4 Section, 1531.86 feet to a point, said point being the point of beginning of the land to be described; continuing thence due East along the North line of said 1/4 Section, 60.00 feet to a point; thence due South at right angles to the North line of said 1/4 Section, 669.10 feet to a point on the South line of the North 1/2 of the North 1/2 of said 1/4 Section; thence North 89 degrees 58' 20" West along the South line of the North 1/2 of the North 1/2 of said 1/4 Section, 60.00 feet to a point; thence due North at right angles to the North line of said 1/4 Section, 669.07 feet to the point of beginning. Reserving the North 45.00 for street purposes.

670,782

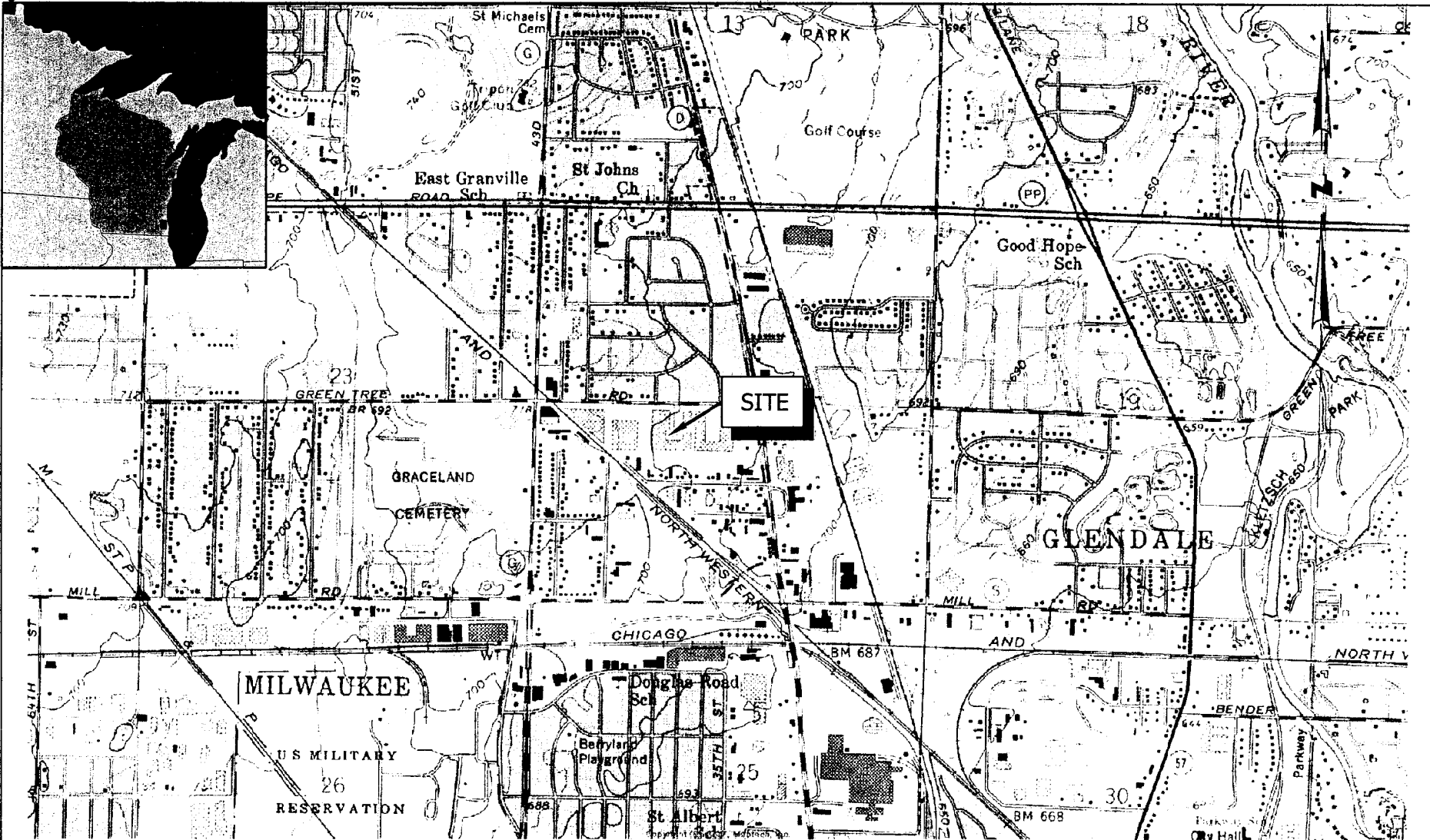
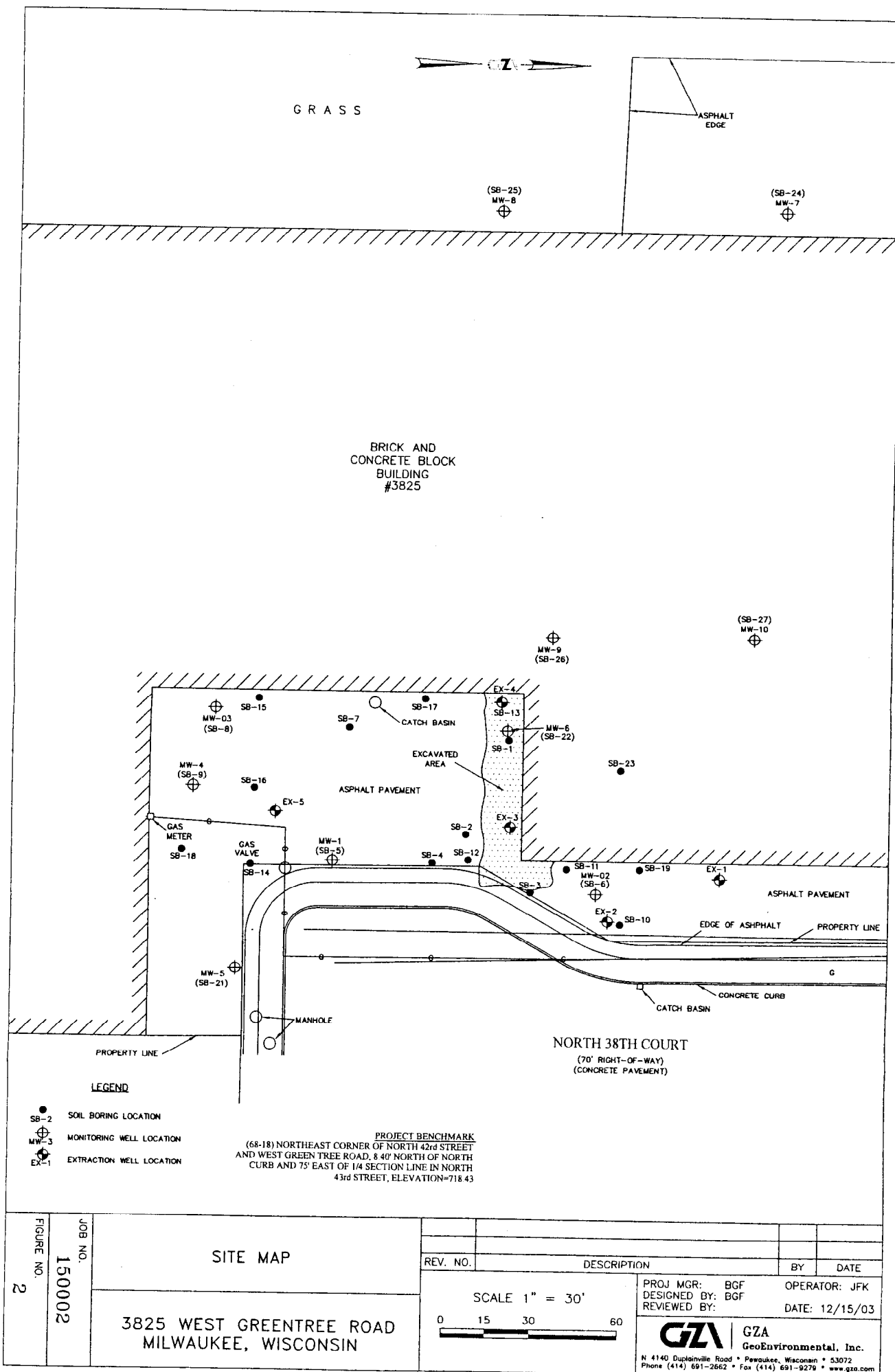


FIGURE NO. 1	PROJECT NO. 150002	3825 WEST GREEN TREE ROAD MILWAUKEE, WISCONSIN						
		SITE LOCATION MAP	REV. NO.	DESCRIPTION		BY	DATE	
			SCALE: 1:24,000		PROJ MGR: JFK		DRAWN BY: JAC	
			0 1000' 2000' 4000'		DESIGNED BY: JAC		DATE: 12/20/03	
		SOURCE: U.S.G.S. MILWAUKEE, WI WISCONSIN QUADRANGLE MAP		GZA GeoEnvironmental, Inc.				





GRASS

ASPHALT
EDGE

(SB-25)
MW-8

(SB-24)
MW-7

BRICK AND
CONCRETE BLOCK
BUILDING
#3825

(SB-27)
MW-10

MW-9
(SB-26)

LEGEND

- SB-2 SOIL BORING LOCATION
- ⊕ MW-3 MONITORING WELL LOCATION
- ⊕ EX-1 EXTRACTION WELL LOCATION

APPROXIMATE EXTENT OF SOILS EXCEEDING RCLs-DASHED WHERE INFERRED
(BASED ON SOIL ANALYTICAL DATA FROM 1992 THROUGH 1994)
(DASHED WHERE INFERRED)

NORTH 38TH COURT
(70' RIGHT-OF-WAY)
(CONCRETE PAVEMENT)

PROJECT BENCHMARK
(68-18) NORTHEAST CORNER OF NORTH 42nd STREET
AND WEST GREEN TREE ROAD, 8.40' NORTH OF NORTH
CURB AND 75' EAST OF 1/4 SECTION LINE IN NORTH
43rd STREET, ELEVATION=718.43

APPROXIMATE
HORIZONTAL EXTENT
OF SOIL CONTAMINATION

3825 WEST GREENTREE ROAD
MILWAUKEE, WISCONSIN

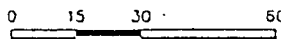
REV. NO.

DESCRIPTION

BY

DATE

SCALE 1" = 30'



PROJ MGR: BGF OPERATOR: JFK
DESIGNED BY: BGF
REVIEWED BY: DATE: 12/15/03



GZA
GeoEnvironmental, Inc.

N 4140 Doushinsky Road • Pensacola, Wisconsin • 53072
Phone (414) 891-2862 • Fax (414) 891-9278 • www.gza.com

EXHIBIT B

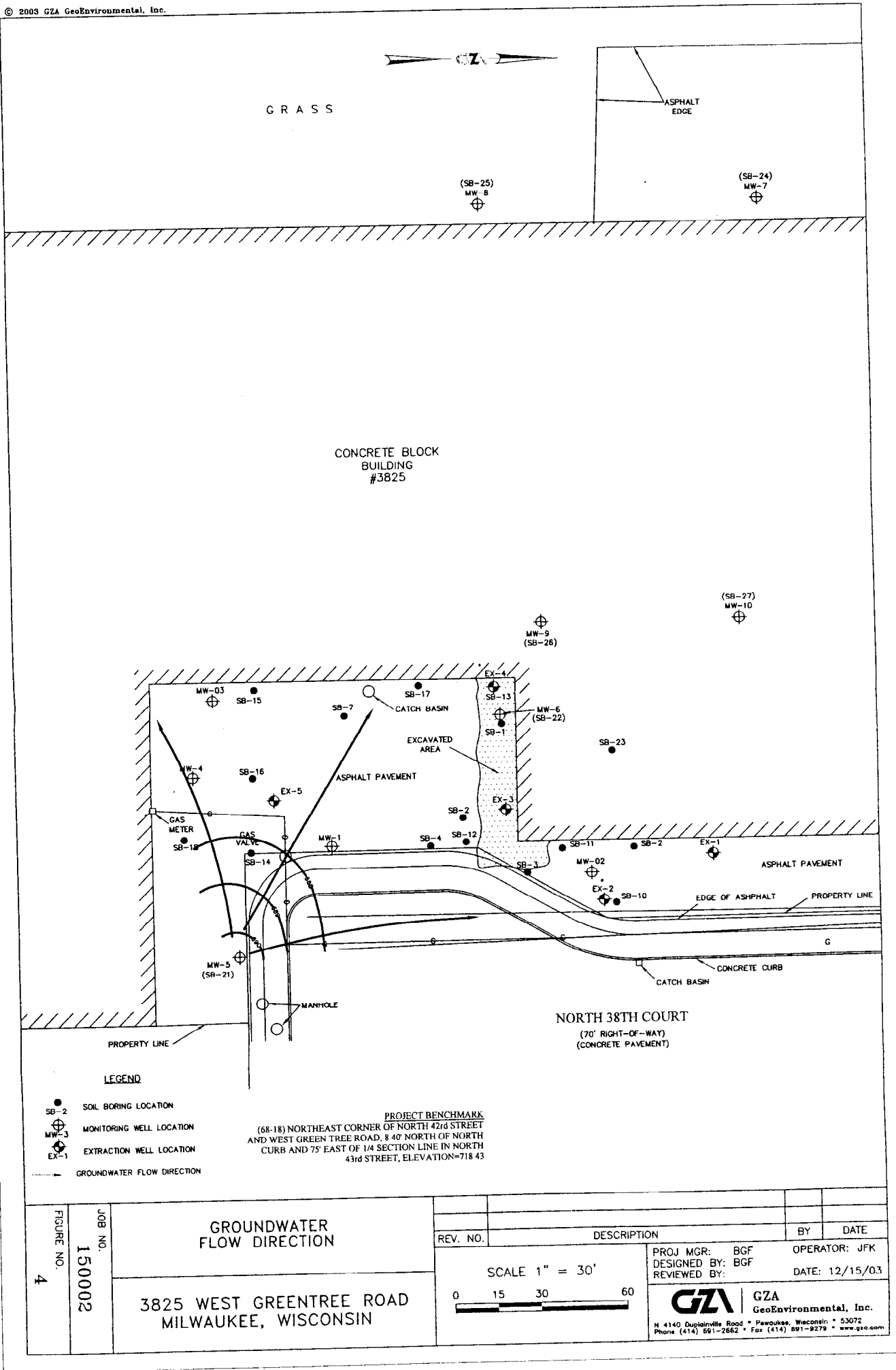
TABLE 1
SOIL ANALYTICAL RESULTS
3825 West Green Tree Road
Milwaukee, Wisconsin

PARAMETER	UNITS	Sample Number, Depth and Location																			
		SB-1	SB-1	SB-2	SB-2	SB-3	SB-3	SB-4	SB-4	SB-5	SB-5	SB-6	SB-6	SB-7	SB-7	SB-8	SB-8	SB-9	SB-10	SB-11	SB-12
		(12.5-14.5')	(15-17')	(10-12')	(12.5-14.5')	(12.5-14.5')	(15-17')	(15-17')	(17.5-19.5')	(12.5-14.5')	(15-17')	(7.5-9.5')	(15-17')	(10-12')	(15-17')	(10-12')	(15-17')	(9-11')	(11-13')	(11-13')	(7-9')
		12/9/1992	12/9/1992	12/9/1992	12/9/1992	12/9/1992	12/9/1992	12/9/1992	12/9/1992	12/9/1992	12/9/1992	12/9/1992	12/9/1992	12/9/1992	12/9/1992	12/9/1992	12/9/1992	11/15/1993	11/15/93	11/15/93	11/15/93
VOCs																					
Benzene	ug/kg	1,850	7,810	82,500	54,700	9,360	3,560	<120	<58	<65	3,050	190	<63.0	230	<62	94.0	<56.0	NA	NA	798	NA
Ethylbenzene	ug/kg	62,400	61,500	186,000	104,000	69,600	9,520	5,130	6,190	210	2,750	<50	<63.0	<66.0	<62	<62.0	<56.0	NA	NA	10,000	NA
Methyl-tert-butyl Ether (MTBE)	ug/kg	2,170	<1,000	3,650	3,580	1,680	201	<120	110	<65	230	<50	<63.0	<66.0	<62	<62.0	<56.0	NA	NA	136	NA
Toluene	ug/kg	119,000	221,000	745,000	385,000	67,800	3,850	920	270	<65	410	<50	<63.0	<66.0	<62	<62.0	<56.0	NA	NA	516	NA
1,2,4-Trimethylbenzene	ug/kg	57,300	50,700	157,000	81,100	57,500	5,580	3,270	3,210	4,310	7,520	81	580	3,040	2,990	110	1,560	NA	NA	27,600	NA
1,3,5-Trimethylbenzene	ug/kg	141,000	134,000	427,000	208,000	138,000	15,500	7,690	9,110	520	18,100	110	<63.0	<66.0	<62	<62.0	<56.0	NA	NA	9,780	NA
o-Xylene	ug/kg	98,100	95,400	331,000	169,000	97,500	12,700	6,350	7,060	130	1,090	<50	<63.0	<66.0	<62	<62.0	<56.0	NA	NA	24,100	NA
m&p-Xylene	ug/kg	243,000	261,000	750,000	384,000	243,000	20,700	17,500	20,200	340	2,610	93	<63.0	<66.0	<62	<62.0	<56.0	NA	NA	24,100	NA
Total Lead	mg/kg	7.82	10.6	4.12	8.76	10.6	5.70	5.12	8.34	5.56	7.34	12.9	7.6	5.60	6.84	8.60	8.06	NA	NA	NA	NA
GRO ²	mg/kg	3,240	2,030	9,340	5,100	3,330	155	90.9	123	32.8	465	10.5	<10.0	25.4	<10.0	<10.0	<10.0	<10.0	<10.0	422	620

PARAMETER	UNITS	Sample Number, Depth and Location														
		SB-13	SB-13	SB-14	SB-15	SB-15	SB-16	SB-17	SB-18	SB-18	SB-19	SB-20 (MW-4)	SB-21 (MW-5)	SB-22 (MW-6)	SB-23	SB-23
		(9-11')	(13-15')	(9-11')	(9-11')	(13-15')	(11-13')	(9-11')	(11-13')	(13-15')	(11-13')	(14-16')	(14-16')	(14-16')	(5-7')	(7-9')
		11/15/93	11/15/93	11/16/93	11/16/1993	11/16/93	11/16/93	11/16/93	11/16/93	11/16/93	11/16/93	02/15/94	02/15/94	02/15/94	04/07/94	04/07/94
VOCs																
Benzene	ug/kg	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	<53.0	2,420
Ethylbenzene	ug/kg	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	<53.0	89.6
Methyl-tert-butyl Ether (MTBE)	ug/kg	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	<53.0	68.7
Toluene	ug/kg	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	<53.0	488
1,2,4-Trimethylbenzene	ug/kg	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	<53.0	4,060
1,3,5-Trimethylbenzene	ug/kg	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	<53.0	2,890
p-Xylene	ug/kg	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	<106	4,070
m&p-Xylene	ug/kg	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	<53.0	15,600
Total Lead	mg/kg	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
GRO ²	mg/kg	660	24.1	<10.0	<10.0	<10.0	20.1	<10.0	<10.0	<10.0	<10.0	<10.0	<10.0	1,680	<10.0	155

Notes:

1. Pre-remedial soil sampling results.
2. GRO = gasoline-range organic compounds.
3. "NA" indicates the sample was not analyzed for that parameter.



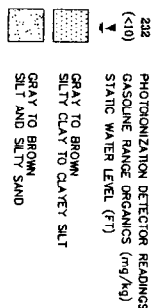


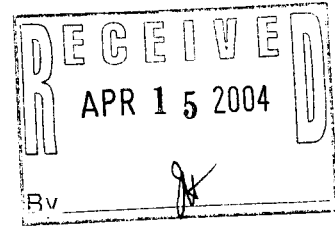


FIGURE NO. 6	PROJECT NO. 150002	TITLE				
		GEOLOGIC CROSS-SECTION				
		FILE NAME: F:\CARLS-CR.DWG	REV. NO.	DESCRIPTION		BY
		3825 WEST GREENTREE ROAD MILWAUKEE, WISCONSIN	HORIZONTAL SCALE IN FEET 0 7.5 15 30	DESIGNED BY: BFG CHECKED BY: BGF REVIEWED BY:	DRAWN BY: JFK SCALE: DATE: 12/15/03	
					 GZA GeoEnvironmental, Inc.	



Carlson Marketing Group[®]

World Leader in Relationship Marketing

Statement of Extent of Impacted Property

This is to affirm the belief of the undersigned, based upon environmental samples collect to date, that the legal description set forth below encompasses all of the land impacted by petroleum formerly released at this property, said release known as WI FID #241485860, BRRTS #03-41-002817.

Legal Description of Impacted Property:

see legal description set forth as Reel 3146, Images 999 through 1000 of Milwaukee County Records, attached as "Exhibit A."

IN WITNESS WHEREOF dated this 30th day of March, 2004.

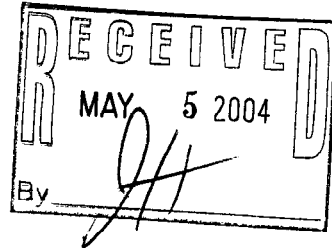
CARLSON MARKETING GROUP, INC.

BY: Kent A. Buell

Its: Asst. Sec.

May 3, 2004
File No. 20.0150002.50

Milwaukee City Engineering
Frank P. Ziedler Municipal Building, Room 701
841 North Broadway Street
Milwaukee, Wisconsin 53202



Attention: Mr. Jeffery S. Polenske
City Engineer

Subject: Notification of Soil Contamination in the North 38th Court Right-of-Way
Adjacent to the Former Carlson Marketing Group Property
3825 West Green Tree Road
Milwaukee, Wisconsin ("Site")
BRRTS Case # 03-41-002817

FID: 241 485 860

N4140 Duplainville Road
Pewaukee
Wisconsin, 53072
262-691-2662
Fax: 262-691-9279
www.gza.com

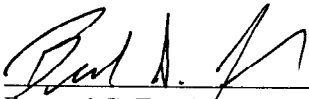
Dear Mr. Polenske:

On behalf of Carlson Marketing Group, Inc, GZA GeoEnvironmental, Inc. (GZA) is providing the City of Milwaukee with notification of the presence of soil contamination (based on soil analytical results from 1992) within the North 38th Court right-of-way adjacent to the east side of the property at 3825 West Green Tree Road in Milwaukee, Wisconsin. The approximate area encompassing the soil contamination is provided on the attached Figure. Petroleum constituents were detected at concentrations above Wisconsin Administrative Code Chapter NR 720 residual contaminant levels (RCLs) in soil samples collected from the 12.5- to 14.5-foot and 15- to 17-foot intervals in boring SB-3, from the 15- to 17-foot interval in SB-5 and from the 7- to 9-foot interval in boring SB-12. Field screening of soil samples indicated that organic compounds may also have been present at shallower depths.

Should you have any questions or require additional information, please contact Mr. John Hnat of the Wisconsin Department of Natural Resources (414-263-8644), or the undersigned at your convenience.

Very truly yours,

GZA GeoEnvironmental, Inc.


Bernard G. Fenelon P.G.
Senior Project Manager
Hydrogeologist

J:\000TO099\150002\50\Right-of-Way Notification Letter.doc

Attachment – Figure of Approximate Horizontal Extent of Soil Contamination

c: Mr. John Hnat, Wisconsin Department of Natural Resources
Mr. Ronald D. Leonhardt, City of Milwaukee, City Clerk
Mr. David P. Misky, Health Department
Mr. William P. Scott, Esq., William P. Scott S.C.
Ms. Wanda Cahill, Carlson Marketing Group, Inc.

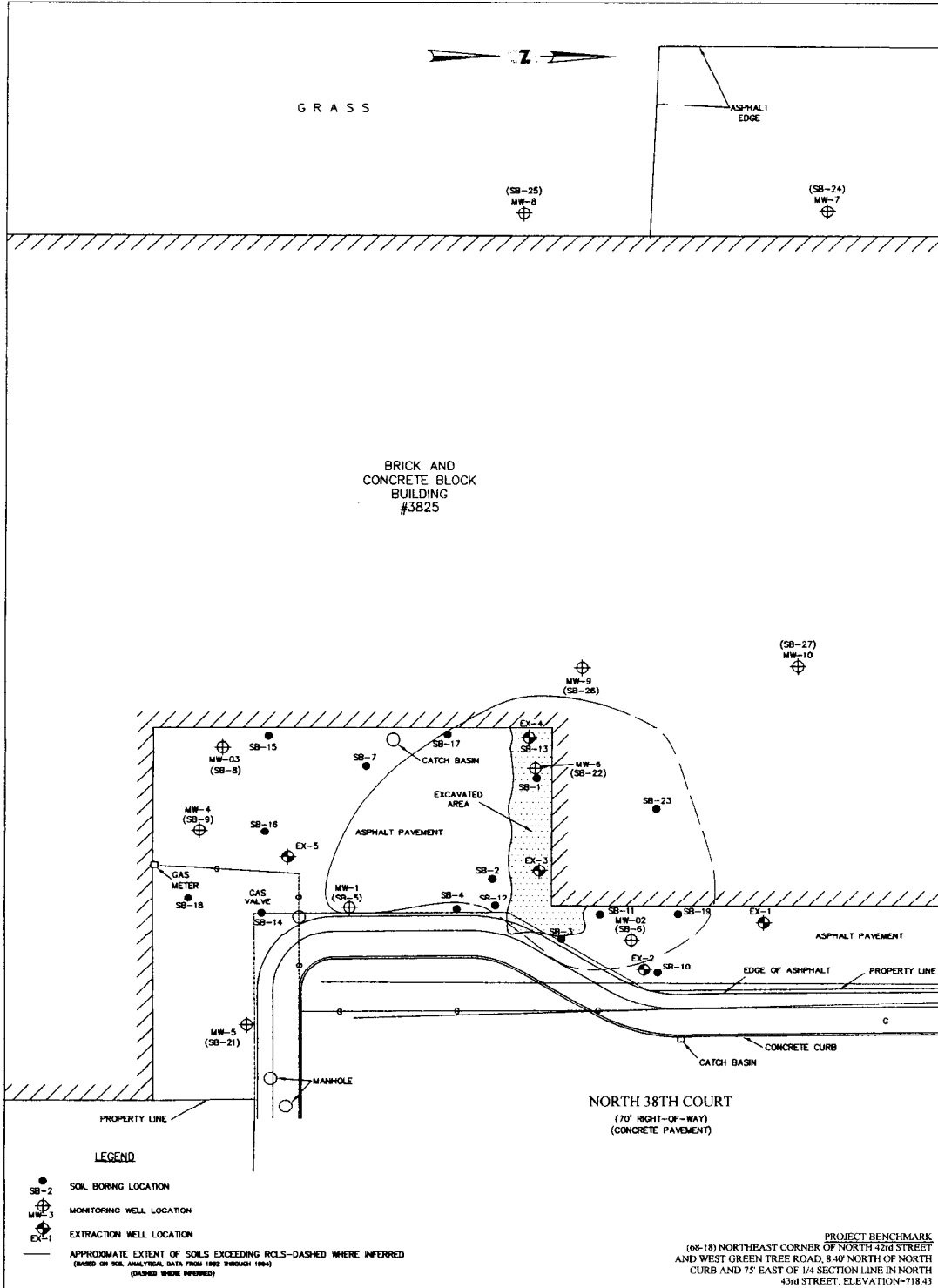

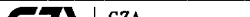


FIGURE NO. 5	JOB NO. 150002	APPROXIMATE HORIZONTAL EXTENT OF SOIL CONTAMINATION 3825 WEST GREENTREE ROAD MILWAUKEE, WISCONSIN				
			REV. NO.	DESCRIPTION	BY	DATE
			SCALE 1" = 30'		PROJ MGR: BGF OPERATOR: JFK DESIGNED BY: BGF REVIEWED BY: DATE: 12/15/03	
					 N 4140 Duganville Road • Pewaukee, Wisconsin • 53072 Phone (414) 981-2962 • Fax (414) 981-9279 • www.gza.com	

DEED RESTRICTION

DOC. #
8783181

REGISTER'S OFFICE | SS
Milwaukee County, WI

RECORDED AT 2:46 PM

05-14-2004

JOHN LA FAVE
REGISTER OF DEEDS

AMOUNT 19.00

Declaration of Restrictions

In re: See legal description attached as Exhibit A.

WHEREAS, Hersch Family Partnership, LLP, a Wisconsin limited liability partnership, formerly known as Hersch Family Partnership ("Owner"), is the owner of the above-described real property, the deed to which is recorded as Document No. 6845883 at Reel 3146, Images 999-1000, inclusive, of the Records of Milwaukee County, Wisconsin, said property also being referred to hereinafter as the "Property".

WHEREAS, Carlson Marketing Group, Inc. was a tenant of the Property.

WHEREAS, one or more petroleum discharges have occurred on the Property, and as of 1994 when soil samples were last collected on the Property, petroleum-contaminated soil remained on the Property at the locations shown on the map attached hereto as Exhibit B and the Soil Analytical Results attached hereto as Table 1.

This instrument was drafted by and should be returned to:

Thomas P. Shannon, Esq.
Fox, O'Neill & Shannon, S.C.
622 N. Water Street, Suite 500
Milwaukee, Wisconsin 53202

WHEREAS, by letter dated November 25, 1992, the Wisconsin Department of Natural Resources ("WDNR") identified Carlson Marketing Group as a responsible party to investigate and remediate the petroleum contamination at the Property.

WHEREAS, it is the desire and intention of Carlson Marketing Group and Owner to receive case closure from WDNR with respect to the petroleum contamination at the Property.

WHEREAS, WDNR is requiring, as a condition of case closure, that restrictions be imposed upon the Property as provided herein.

WHEREAS, WDNR has advised Owner that, if Owner refuses to record a deed restriction on the Property, WDNR will require Owner to further investigate and/or remediate the residual petroleum contamination at the Property.

WHEREAS, rather than addressing the residual contamination at the Property, Owner is imposing these restrictions on the Property which will make it unnecessary to conduct further soil remediation activities on the Property at the present time.

NOW, THEREFORE, Owner hereby declares that all of the Property described above is held and shall be held, conveyed or encumbered, leased, rented, used, occupied and improved subject to the following limitation and restrictions:

Structural impediments existing at the time of clean up, consisting of a building and asphalt pavement on the Property, made complete investigation and/or remediation of the soil contamination on the Property impracticable. If the structural impediments on the Property that are described above are removed, the owner of the Property at that time shall conduct an investigation of the degree and extent of petroleum contamination. The duty to conduct an investigation of the degree and extent of petroleum contamination does not apply to routine maintenance or replacement of the asphalt pavement on the Property as long as the maintenance or replacement is conducted within a reasonable period of time and no obvious contamination is encountered when the asphalt is removed. To the extent that contamination is found at that time, WDNR shall be immediately notified and the contamination shall be properly remediated in accordance with applicable statutes and rules. If

currently inaccessible soil near or beneath the structural impediments on the Property is excavated in the future, the soil must be sampled and analyzed, may be considered solid or hazardous waste if residual contamination remains and must be stored, treated and disposed in compliance with applicable statutes and rules.

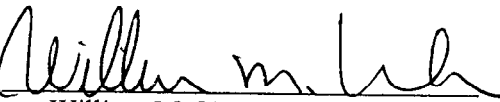
This restriction is hereby declared to be a covenant running with the land and shall be fully binding upon all persons acquiring the above-described Property, whether by descent, devise, purchase or otherwise. This restriction inures to the benefit of and is enforceable by WDNR, its successors or assigns. WDNR, its successors or assigns, may initiate proceedings at law or in equity against any person or persons who violate or are proposing to violate this covenant, to prevent the proposed violation or to recover damages for such violation.

Any person who is or becomes an owner of the Property described above may request that WDNR or its successor issue a determination that one or more of the restrictions set forth in this covenant is no longer required. Upon the receipt of such a request, WDNR shall determine whether or not the restrictions contained herein can be extinguished. If WDNR determines that the restrictions can be extinguished, an affidavit, attached to a copy of WDNR's written determination, may be recorded by the property owner or other interested party to give notice that this deed restriction, or portions of this deed restriction, are no longer binding.

By signing this document, William M. Hersch asserts that he is duly authorized to sign this document on behalf of Hersch Family Partnership, LLP.

IN WITNESS WHEREOF, Hersch Family Partnership, LLP has executed this Declaration of Restrictions on the 14th day of May, 2004.

HERSCH FAMILY PARTNERSHIP, LLP
(f/k/a HERSCH FAMILY PARTNERSHIP)

By: 
William M. Hersch, Partner

STATE OF WISCONSIN)
 : SS
MILWAUKEE COUNTY)

This instrument was acknowledged before me on May 14, 2004 by William M. Hersch, as Partner of Hersch Family Partnership, LLP, a Wisconsin limited liability partnership.

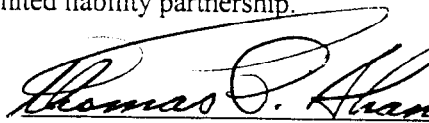

Thomas P. Shannon
Notary Public, State of Wisconsin
My Commission is permanent.

EXHIBIT A

Legal Description

Parcel 1:

That part of the South West One-quarter ($\frac{1}{4}$) of Section Twenty-four (24), in Township Eight (8) North, Range Twenty-one (21) East, in the City of Milwaukee, County of Milwaukee, State of Wisconsin, bounded and described as follows: Commencing at the North West corner of said $\frac{1}{4}$ Section; thence due East along the North line of said $\frac{1}{4}$ Section 1591.86 feet to a point, said point being the point of beginning of the land to be described; continuing thence due East along the North line of said $\frac{1}{4}$ Section 250.00 feet to a point; thence due South at right angles to the North line of said $\frac{1}{4}$ Section, 345.91 feet to a point; thence South $30^{\circ} 00' 00''$ West, 50.00 feet to a point; thence due South 45.79 feet to a point; thence due West and parallel to the North line of said $\frac{1}{4}$ Section, 225.00 feet to a point; thence due North at right angles to the North line of said $\frac{1}{4}$ Section, 435.00 feet to the point of beginning.

Parcel 2:

That part of the South West One-quarter ($\frac{1}{4}$) of Section Twenty-four (24), in Township Eight (8) North, Range Twenty-one (21) East, in the City of Milwaukee, County of Milwaukee, State of Wisconsin, bounded and described as follows: Commencing at the North West corner of said $\frac{1}{4}$ Section; thence due East along the North line of said $\frac{1}{4}$ Section 1841.86 feet; thence due South at right angles to the North line of said $\frac{1}{4}$ Section, 345.91 feet; thence South $30^{\circ} 00' 00''$ West, 50.00 feet; thence due South at right angles to the North line of said $\frac{1}{4}$ Section 45.79 feet to a point, said point being the point of beginning of the land to be described; thence due South 34.21 feet; thence South $89^{\circ} 58' 20''$ East and parallel to the South line of the North $\frac{1}{2}$ of the North $\frac{1}{2}$ of said $\frac{1}{4}$ Section, 60.00 feet; thence due South at right angles to the North line of said $\frac{1}{4}$ Section, 200.00 feet to a point on the South line of the North $\frac{1}{2}$ of the North $\frac{1}{2}$ of said $\frac{1}{4}$ Section; thence North $89^{\circ} 58' 20''$ West along the South line of the North $\frac{1}{2}$ of the North $\frac{1}{2}$ of said $\frac{1}{4}$ Section, 285.00 feet to a point; thence due North at right angles to the North line of said $\frac{1}{4}$ Section, 234.10 feet to a point; thence due East 225.00 feet to the point of beginning.

Parcel 3:

That part of the South West One-quarter ($\frac{1}{4}$) of Section Twenty-four (24), Township Eight (8) North, Range Twenty-one (21) East, in the City of Milwaukee, County of Milwaukee, State of Wisconsin, bounded and described as follows: Commencing at the North West corner of said $\frac{1}{4}$ Section; thence due East along the North line of said $\frac{1}{4}$ Section 1531.86 feet to a point, said point being the point of beginning of the land to be described; continuing thence due East along the North line of said $\frac{1}{4}$ Section 60.00 feet to a point; thence due South at right angles to the North line of said $\frac{1}{4}$ Section, 669.10 feet to a point on the South line of the North $\frac{1}{2}$ of the North $\frac{1}{2}$ of said $\frac{1}{4}$ Section; thence North $89^{\circ} 58' 20''$ West along the South line of the North $\frac{1}{2}$ of the North $\frac{1}{2}$ of said $\frac{1}{4}$ Section, 60.00 feet to a point; thence due North at right angles to the North line of said $\frac{1}{4}$ Section, 669.07 feet to the point of beginning. Reserving the North 45.00 feet for street purposes.

Tax key number 137-9988-126-2



GRASS

ASPHALT
EDGE

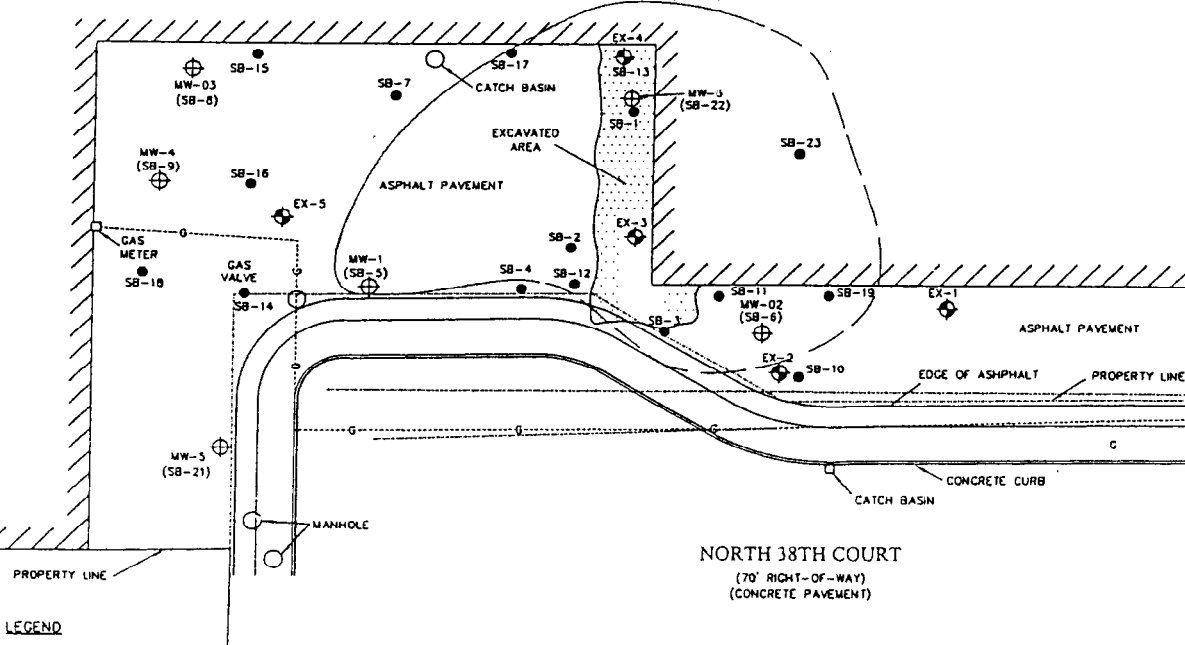
(SB-25)
MW-8

(SB-24)
MW-7

BRICK AND
CONCRETE BLOCK
BUILDING
#3825

(SB-27)
MW-10

MW-9
(SB-26)



LEGEND

- SB-2 SOIL BORING LOCATION
- ⊕ MW-3 MONITORING WELL LOCATION
- ⊕ EX-1 EXTRACTION WELL LOCATION

APPROXIMATE EXTENT OF SOILS EXCEEDING RCLs-DASHED WHERE INFERRED
(BASED ON SOIL ANALYTICAL DATA FROM 1992 THROUGH 1994)
(DASHED WHERE INFERRED)

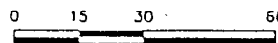
PROJECT BENCHMARK
(68-18) NORTHEAST CORNER OF NORTH 42nd STREET
AND WEST GREEN TREE ROAD, 8.40' NORTH OF NORTH
CURB AND 75' EAST OF 1/4 SECTION LINE IN NORTH
43rd STREET, ELEVATION=718.43

APPROXIMATE
HORIZONTAL EXTENT
OF SOIL CONTAMINATION

3825 WEST GREENTREE ROAD
MILWAUKEE, WISCONSIN

REV. NO.	DESCRIPTION	BY	DATE

SCALE 1" = 30'



PROJ MGR: BGF OPERATOR: JFK
DESIGNED BY: BCF DATE: 12/15/03
REVIEWED BY:

GZA GeoEnvironmental, Inc.
N 4140 Ouphainville Road • Pewaukee, Wisconsin • 53072
Phone (414) 691-2602 • Fax (414) 691-9279 • www.gza.com

EXHIBIT B

TABLE 1
SOIL ANALYTICAL RESULTS
3825 West Green Tree Road
Milwaukee, Wisconsin

PARAMETER	UNITS	Sample Number, Depth and Location																				
		SB-1	SB-1	SB-2	SB-2	SB-3	SB-3	SB-4	SB-4	SB-5	SB-5	SB-6	SB-6	SB-7	SB-7	SB-8	SB-8	SB-9	SB-10	SB-11	SB-12	SB-12
		(12.5-14.5')	(15-17')	(10-12')	(12.5-14.5')	(12.5-14.5')	(15-17')	(15-17')	(17.5-19.5')	(12.5-14.5')	(15-17')	(7.5-9.5')	(15-17')	(10-12')	(15-17')	(10-12')	(15-17')	(9-11')	(11-13')	(11-13')	(7-9')	(15-17')
		12/9/1992	12/9/1992	12/9/1992	12/9/1992	12/9/1992	12/9/1992	12/9/1992	12/9/1992	12/9/1992	12/9/1992	12/9/1992	12/9/1992	12/9/1992	12/9/1992	12/9/1992	12/9/1992	11/15/1993	11/15/93	11/15/93	11/15/93	11/15/93
VOCs																						
Benzene	ug/kg	1,850	7,810	82,500	54,700	9,360	3,560	<120	<58	<65	3,050	190	<63.0	230	<62	94.0	<56.0	NA	NA	798	NA	NA
Ethylbenzene	ug/kg	62,400	61,500	186,000	104,000	69,600	9,520	5,130	6,190	210	2,750	<50	<63.0	<66.0	<62	<62.0	<56.0	NA	NA	10,000	NA	NA
Methyl-tert-butyl Ether (MTBE)	ug/kg	2,170	<1,000	3,650	3,580	1,680	201	<120	110	<65	230	<50	<63.0	<66.0	<62	<62.0	<56.0	NA	NA	136	NA	NA
Toluene	ug/kg	119,000	221,000	745,000	385,000	67,800	3,850	920	270	<65	410	<50	<63.0	<66.0	<62	<62.0	<56.0	NA	NA	516	NA	NA
1,2,4-Trimethylbenzene	ug/kg	57,300	50,700	157,000	81,100	57,500	5,580	3,270	3,210	4,310	7,520	81	580	3,040	2,990	110	1,560	NA	NA	27,600	NA	NA
1,3,5-Trimethylbenzene	ug/kg	141,000	134,000	427,000	208,000	138,000	15,500	7,690	9,110	520	18,100	110	<63.0	<66.0	<62	<62.0	<56.0	NA	NA	9,780	NA	NA
o-Xylene	ug/kg	98,100	95,400	331,000	169,000	97,500	12,700	6,350	7,060	130	1,090	<50	<63.0	<66.0	<62	<62.0	<56.0	NA	NA	24,100	NA	NA
m&p-Xylene	ug/kg	243,000	261,000	750,000	384,000	243,000	20,700	17,500	20,200	340	2,610	93	<63.0	<66.0	<62	<62.0	<56.0	NA	NA	24,100	NA	NA
Total Lead	mg/kg	7.82	10.6	4.12	8.76	10.6	5.70	5.12	8.34	5.56	7.34	12.9	7.6	5.60	6.84	8.60	8.06	NA	NA	NA	NA	NA
GRO ²	mg/kg	3,240	2,030	9,340	5,100	3,330	155	90.9	123	32.8	465	10.5	<10.0	25.4	<10.0	<10.0	<10.0	<10.0	<10.0	422	620	260

PARAMETER	UNITS	Sample Number, Depth and Location																	
		SB-13	SB-13	SB-14	SB-15	SB-15	SB-16	SB-17	SB-18	SB-18	SB-19	SB-20 (MW-4)	SB-21 (MW-5)	SB-22 (MW-6)	SB-23	SB-23	SB-24 (MW-7)	SB-25 (MW-8)	SB-25 (MW-8)
		(9-11')	(13-15')	(9-11')	(9-11')	(13-15')	(11-13')	(9-11')	(11-13')	(13-15')	(11-13')	(14-16')	(14-16')	(14-16')	(5-7')	(7-9')	(9-11')	(9-11')	(17-19')
		11/15/93	11/15/93	11/16/93	11/16/1993	11/16/93	11/16/93	11/16/93	11/16/93	11/16/93	11/16/93	02/15/94	02/15/94	02/15/94	04/07/94	04/07/94	04/22/94	04/22/94	04/22/94
VOCs																			
Benzene	ug/kg	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	<53.0	2,420	NA	NA	NA
Ethylbenzene	ug/kg	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	<53.0	89.6	NA	NA	NA
Methyl-tert-butyl Ether (MTBE)	ug/kg	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	<53.0	68.7	NA	NA	NA
Toluene	ug/kg	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	<53.0	488	NA	NA	NA
1,2,4-Trimethylbenzene	ug/kg	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	<53.0	4,060	NA	NA	NA
1,3,5-Trimethylbenzene	ug/kg	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	<53.0	2,890	NA	NA	NA
o-Xylene	ug/kg	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	<106	4,070	NA	NA	NA
m&p-Xylene	ug/kg	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	<53.0	15,600	NA	NA	NA
Total Lead	mg/kg	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
GRO ²	mg/kg	660	24.1	<10.0	<10.0	<10.0	20.1	<10.0	<10.0	<10.0	<10.0	<10.0	<10.0	1,680	<10.0	155	<10.0	<10.0	<10.0

Notes:

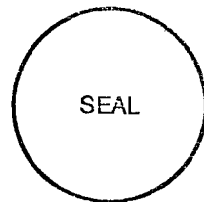
1. Pre-remedial soil sampling results.
2. GRO = gasoline-range organic compounds.
3. 'NA' indicates the sample was not analyzed for that parameter.

268471

CERTIFICATE NO. _____

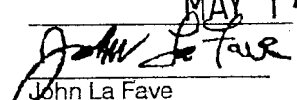
STATE OF WISCONSIN
MILWAUKEE COUNTY

OFFICE OF
REGISTER OF DEEDS



I, the undersigned
Register of Deeds of
Milwaukee County,
hereby certify that
this document is a
true and correct copy
of the original on
file or record in
this office.

Witness my hand and
official seal this

MAY 14 2004

John La Fave